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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 JOHN ROBERT DEMOS, JR.,

NO. C13-392-MJP-JPD

10 Petitioner,

11 v.

REPORT AND
RECOMMENDATION

12 US SECRETARY OF DEFENSE, *et al.*,

13 Respondents.
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15 **Bar-order litigant John Demos** filed this 28 U.S.C. § 2254 habeas petition in the
16 Eastern District of Michigan, which granted him *in forma pauperis* status before it transferred
17 this matter to the Western District of Washington. (Dkts. 1, 4.) An Order of this Court,
18 however, provides for the return without filing of any petition by Mr. Demos that seeks an
19 extraordinary writ pursuant to 28 U.S.C. §§ 1651, 2253 or 2254, unless accompanied by the
20 filing fee. *See Demos v. Stanley*, MC97-0031-JLW (W.D. Wash. Mar. 13, 1997).


21 The Court recommends REVOKING petitioner's IFP status as improvidently granted
22 by the transferring court. As petitioner has submitted no filing fee, the Court recommends that,
23 pursuant to the Court's Order of March 13, 1997, the Clerk be DIRECTED to administratively
24 close this matter and to strike any pending motions as moot. Moreover, Mr. Demos may not

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1 proceed with a second or successive habeas petition here unless and until the Ninth Circuit
2 authorizes its filing. *See* 28 U.S.C. § 2244(b)(3)(A). A proposed Order is attached.

3 DATED this 26th day of March, 2013.

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5 JAMES P. DONOHUE
6 United States Magistrate Judge
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